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PRE-APPEAL BRIEF REQUEST FOR REVIEW	Docket Number (Optional) 1363-007	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _January 5, 2006_ 1/5/06 Signature _____ Typed or printed name _Tanya J. Mirilovich_	Application Number 09/943,786	Filed 8/31/2001
	First Named Inventor Michel Shane Simpson et al.	
	Art Unit 2162	Examiner Anh Ly

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
    Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest.
   See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
   (Form PTO/SB/96)

☑ attorney or agent of record. 43,082
   Registration number _____

☐ attorney or agent acting under 37 CFR 1.34.

   Registration number if acting under 37 CFR 1.34 _____

_____
Signature

Michael T. Sanderson
_____
Typed or printed name

859/ 252-0889
_____
Telephone number

1-5-06
_____
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☑ *Total of __3__ forms are submitted.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :

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MICHEL SHANE SIMPSON et al. :

: Examiner: Anh Ly

Serial No.: 09/943,786 : Group Art Unit: 2162

:

Filed: August 31, 2001 :

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For: METHOD AND APPARATUS FOR PRESENTING, SEARCHING, AND
VIEWING DIRECTORIES

PRE-APPEAL BRIEF REQUEST FOR REVIEW
FILED CONCURRENTLY WITH NOTICE OF APPEAL AND NOTICE OF
APPEAL FEE

Mail Stop After Final (AF)
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Sir:

Responsive to the Final Office Action dated December 1, 2005, and in view of the twice rejection of the pending claims, the Applicant hereby requests a pre-appeal conference of a panel of Examiners, pursuant to the Pilot Program established in the Official Gazette, dated July 12, 2005.

By this response, claims 21-41 are pending. Substantively, the Examiner rejects all claims as obvious in view of U.S. Patent No. 6,260,039 to Schneck et al. and U.S. Patent Application 2001/0034733 to Prompt et al. Yet, the pending claims have many features and aspects not found in the combination of references and, among other things, the Examiner has failed to show proper motivation to combine the references.

For instance, Schneck concerns itself with a "Web to X.500 Gateway" 100 that interfaces between either an administrative or user access point (in the form of an admin interface 106 or web browser 108, respectively) and a X.500 distributed system agent 104,

storing items such as information about people, products or resources. In one instance, users search a directory of information to find people via their name, such as "Jane Doe," or title, such as "Manager." *Figures 15B, 15C.* In other instances, users search the directory to find "John Doe" via a search of an organization name, such as "XYZCorp," and an organizational unit, such as "Sales." *Figures 5-7.* In this regard, various mapping schemes 212 are used.

At no time, however, does Schneck teach searching of disparate directories, let alone searching of disparate directories each having a directory class with dissimilar directory objects and data as representatively required in claim 21 of the instant invention. Rather, Schneck exclusively teaches searching within a single directory typified by a root and various nodes sequenced therefrom as seen, for example, in Schneck's Figures 5-7. In turn, Schneck is unable (while the present invention is able) to search for people, for example, listed as "SALES" in Schneck's one directory and "SALESPERSONS" in a second, completely disparate director (and do so with one query). In other words, Schneck never teaches a second disparate directory and no motivation exists as to why Schneck would then concern itself with one as the Examiner contends would be obvious. Also, the Applicant submits Schneck's single directory searching is well known as evidenced by the Applicant's general discussion of directory hierarchy at pages 2-4 of the Background section of their specification.

Prompt, on the other hand, does not supply the missing teaching rendering the claims obvious. As published, Prompt concerns itself with a hierarchical/relational translation system [104] that "extract[s] and transform[s] data from unrelated relational network data sources into an integrated format that may be universally addressed and viewed over network systems according to a hierarchical representation." *Paragraph [0003].* In one aspect, the translation system resides bi-directionally between a hierarchical computing system 102 and a relational computing system 106 to allow users to "navigate and discover" information in the relational computing system in a manner "substantially similar to navigating and discovering information in the hierarchical computing system 102." *Paragraph [0128].*

As is known, hierarchical systems provide information in "a top-down hierarchical model where information is navigable and ordered pursuant to predefined relationships being either one-to-one or one-to-many. The hierarchical network data models within system 102 are closely tied to their physical data storage since the data structures representing relationship are a part of the storage system." *Paragraph [0126]*. In contrast, relational systems provide "unrelated heterogeneous sources of information, which can be based upon simple to more complex network data relational models that house the data but not necessarily the corresponding relationships amongst the data. Instead of relationships becoming inherently a part of the structure of system 106, logical relationships are represented by primary key matches that are connected as needed according to various relational operations. To this extent, the structure of relational computing system 106 alone typically lacks a pre-established path of navigation, unlike hierarchical computing system 102." *Paragraph [0127]*.

In another aspect, the translation system resides intermediately between the hierarchical and relational computing systems and behaves as a "virtual" intermediary. Especially, the translation system operates with a "virtual directory server for capturing information in the nature of relational database schema and metadata. The captured schema and metadata are then translated into virtual directories that are universally compatible with standard communication protocols used with hierarchical computing systems." *Abstract*.

The instant invention, however, has no aspects relating to "virtual directories." It also does not serve as an intermediary between unrelated "computing systems," such as hierarchical and relational. Rather, the pending claims relate as methods and systems for searching various directories 10, such as across an internet 20 or LAN as seen in Figure 1 of Applicant's specification. Further, the directories are searchable with a single query in administrator-created categories that link together or associate directory classes (having dissimilar objects and data) in two or more disparate directories, e.g., 10A, 10B or 10C. Often, the searching also occurs via a directory browser in a directory shell that further includes an administrator utility where category creating takes place.

As the specification of the present invention teaches, disparate or "different" directories, "potentially have different names for class attributes." *Page 14, l. 27.* As an example, Cisco and Novell corporate directories are given as disparate directories, including differing directory classes 51, that are searchable with a single query under an administrator-created user-searchable category 62 having the name "Find All." *Page 8, l. 13 - page 9. l. 4.* In turn, mapping or associating the differing directory classes 51 of the Cisco and Novell directories into a single user-searchable category 62 occurs, for example in a directory shell 60. In one embodiment, the directory shell 60 "includes two aspects: an administrator utility and a directory browser." *Page 11, ll. 14-15.* Then, the administrator utility allows the administrator to disable or enable searching on a directory class by various mechanisms, such as checking a box (or not) under an Enabled Column of a table 122, for example. *E.g., page 12, l. 30 et seq.* User searching occurs, for example, via a query portion 210 of the directory browser shown as a page 200 in Figure 8. Results of the search are displayed in a variety of panels 220, 230 on the same page. Formats for both the utility and browser are preferably HTML.

As the instant claims relate to the rejection, it appears the Examiner takes Schneck for its teaching of searching single directories (e.g., Schneck Figures 5-7) and combines it with Prompt teaching dissimilar computing systems 102/106. The Examiner then seems to convert the "dissimilar-ness" of Prompt's computing systems into Schneck being able to search more than one dissimilar or disparate directories. Contrarily, Schneck exclusively concerns itself with searching single directories and absolutely no motivation exists for searching multiple disparate directories, let alone being able to do so with a single query. Alternatively, even assuming Schneck and Prompt are properly combinable, the end result would produce users able to singly search the hierarchical computing system 102 of Prompt or singly search the relational computing system 106 of Prompt. The result is never users being able to search both the hierarchy and relational computing systems 102, 106 at the same time with a single query.
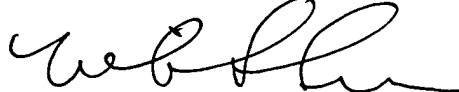
Moreover, each of the pending claims individually define over both Prompt and Schneck,[1] as well as the other art of record, for one or more reasons. Claim 21 is presented as illustrative.

Independent Claim 21: This claim requires a directory shell able to reference two or more disparate directories. The shell includes both an administrator utility and directory browser. The utility is configurable to "associate" the directory classes of the two or more disparate directories into "a user-searchable category." The browser is then a structure where users search the directory classes of the two or more disparate directories with "a single query" of the user-searchable <u>category</u>. Prompt and Schneck, alone or in combination, do not render this obvious. As before, Schneck only enables searching a single directory including "SALES," for example. Prompt, on the other hand, simple mentions more than one directory as related to the dissimilar hierarchy and relational computing systems.

Consequently, the Applicant submits all claims are in a condition for allowance and requests a decision indicating same. *To the extent any fees are due beyond those authorized in the accompanying fee transmittal sheet for the Notice of Appeal, the undersigned authorizes their deduction from Deposit Account No. 11-0978.*

Respectfully submitted,
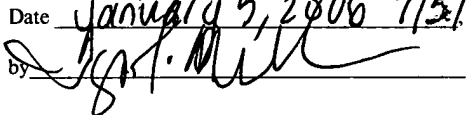
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[1] For a comprehensive position of the claims, see Applicant's September 2, 2005 response at pages 10-12.